

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Herbert Smalls,	)	C.A. No. 8:06-357
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
Sgt. Teresa Ramsey; Ofc. Mays, III;	)	
and Lt. Taylor,	)	
	)	
Defendants.	)	
_____	)	

Plaintiff Herbert Smalls filed the instant *pro se* action on February 10, 2006. (Doc. # 1). Defendants Sgt. Teresa Ramsey, Ofc. Mays, III, and Lt. Taylor filed the pending motion for summary judgment on June 16, 2006. (Doc. #17). As the Plaintiff is proceeding *pro se*, an Order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4<sup>th</sup> Cir. 1975) was issued on June 19, 2006, advising the Plaintiff of the importance of a motion for summary judgment. (Doc. #19). The Plaintiff was specifically advised that he had 34 days to respond and that if he failed to respond adequately, the Defendants' motion may be granted, thereby ending his case. Id. The Plaintiff filed his response on August 28, 2006. (Doc. #24). On January 23, 2007, the Magistrate Judge issued a Report and Recommendation in this case recommending that the Defendants' motion for summary judgment be granted and the Plaintiff's claims be dismissed. (Doc. #25). To date, the Plaintiff has filed no objections to the Magistrate Judge's Report and Recommendation.<sup>1</sup> This matter is now before the

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<sup>1</sup>The Court notes the Report was mailed to the Plaintiff at the address he provided to the Clerk of Court but returned as undeliverable and that a search of the SCDC and BOP websites

Court upon the Magistrate Judge's Report and Recommendation.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4<sup>th</sup> Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation and the relevant filings in this case. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED** (Doc. #25), and this action is dismissed.

**IT IS SO ORDERED.**

S/ Terry L. Wooten

Terry L. Wooten  
United States District Judge

February 13, 2007  
Florence, South Carolina

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produced no location for the Plaintiff. (Entry #26). The Court further notes that the Magistrate Judge issued an Order in this case on February 13, 2006, informing the Plaintiff he was to keep the Clerk of Court informed in writing of any address changes. (Doc. #4).